

BOX ELDER COUNTY PLANNING COMMISSION MINUTES JANUARY 16, 2020

The Board of Planning Commissioners of Box Elder County, Utah met in the Box Elder County Commission Chambers at 7:00 p.m. The following members were present by a roll call, constituting a quorum:

<i>Roll Call</i>		<i>the following Staff was present:</i>	
Laurie Munns	Chairman		
Mellonee Wilding	Vice-Chair	Scott Lyons	Comm Dev Director
Kevin McGaha	Excused	Marcus Wager	County Planner
Michael Udy	Member	Steve Hadfield	Excused
Desiray Larsen	Member	Jeff Scott	Excused
Bonnie Robinson	Excused	Diane Fuhriman	Executive Secretary
Jared Holmgren	Member		

Chairman Laurie Munns called the meeting to order at 7:00 p.m.

The Invocation was offered by **Commissioner Michael Udy**.
Pledge was led by **Commissioner Jared Holmgren**.

The following citizens were present & signed the attendance sheet

See Attachment No. 1 – Attendance Sheet.

The Minutes of the December 19, 2019 meeting were made available to the Planning Commissioners prior to this meeting and upon review a **Motion** was made by **Commissioner Jared Holmgren** to approve the minutes as written. The motion was seconded by **Commissioner Mellonee Wilding** and passed unanimously.

MOTION: A Motion was made by **Commissioner Desiray Larsen** to approve the January 16, 2020 agenda. The motion was seconded by **Commissioner Jared Holmgren** and passed unanimously.

UNFINISHED BUSINESS – NONE

PUBLIC HEARINGS

Chairman Laurie Munns explained public hearings provide an opportunity for the public to voice their concerns or approval on an item. In the meeting there is also unfinished business, public hearings, and new business. The unfinished business and new business provides opportunity for the commissioners to take action on an item. It is not a time for public comment or input. Although the commissioners may ask questions of the applicant during these times.

GDK CORINNE REZONE, Z20-001, Request for a re-zone from A-20 to RR-5 for 150 acres on parcel 04-070-0001 located at 6000 West and 4000 North in the West Corinne area of Unincorporated Box Elder County. ACTION

Staff stated the applicant is requesting parcel 04-070-001 be rezoned from A-20 (Agricultural 20 Acres) to RR-5 (Rural Residential 5 Acre). The parcel is 150 acres in size. The surrounding area is agricultural zoning.

Staff read the review standards for zoning map amendments as follows:

- A. Whether the proposed amendment is consistent with goals, objectives and policies of the County's General Plan;** The West Corinne Community Plan (below) shows this area as being a possible A-20 or 1 Acre or Future Industrial. The nearest 5 acre zoning is in Harper Ward – further east of this property.
- B. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;** The area is a combination of mainly agricultural uses and some residential homes that are in the RR-20 and A-20 zones. Whether the proposed amendment is harmonious with the overall character of existing development is quite subjective.
- C. The extent to which the proposed amendment may adversely affect adjacent property; and** This is subjective. Residential uses do tend to bring additional traffic. They also tend to bring higher property values. The public hearing process may shine additional light on this.
- D. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.** With other homes somewhat in the vicinity of this area, it is likely the facilities to service this property could be made available. Regardless, if the property is developed, the developer would bear the cost burden to bring the utilities to the property.

Staff said the web map shows there are some flood plain areas and wetlands scattered throughout the property. The applicant has leveled off this ground so he would need to work with the Army Corp of Engineers and FEMA to get that resolved.

The public hearing was then opened for comments.

David Lee, adjacent property owner, thanked the Planning and Zoning Department for reaching out and letting him know about this zone change. He is neither in favor or against the zone change and wishes the applicant well with whatever they plan to do.

Con Roper, adjacent property owner, has a right-of-way across the applicants' property and does not want it to be affected by this rezone.

Hearing no further comment, a motion was made by **Commissioner Desiray Larsen** to close the public hearing on the GDK Corinne Rezone, Z20-001. The motion was seconded by **Commissioner Michael Udy** and passed unanimously.

ACTION

Staff explained the Box Elder County LUM&DC allows for rezones by the property owner. If the commission forwards a recommendation of approval, there are recommended conditions in the staff report.

MOTION: A Motion was made by **Commissioner Jared Holmgren** to forward a recommendation of approval to the County Commission for application number Z20-001, a zoning map amendment from the A-20 (Agricultural 20 Acres) Zone to the RR-5 (Rural Residential 5 Acres) Zone and adopting the conditions and findings of the staff report. The motion was seconded by **Commissioner Mellonee Wilding** and passed unanimously.

CONDITIONS:

1. Compliance with Article 5 of the Box Elder County Land Use Management & Development Code.
2. Compliance with Article 2-2-080, Zoning Map and Text Amendments of the Box Elder County Land Use Management & Development Code.
3. Compliance with all applicable County, State, and Federal laws regulating the proposed use, including all current licenses, permits, etc.

NEW BUSINESS

GROVER ROAD VACATE, VAC19-001, for an alleyway in between 15500 North and 15600 North at approximately 5500 West in the Riverside area of Unincorporated Box Elder County. ACTION

Staff explained Box Elder County Commission Policy #2003-01 outlines the following standards when considering a road vacation.

1. **Is there a prevailing public interest in keeping the road open;** Jody Grover owns the

- property on all sides of this area other than the right-of-way of 15600 North.
2. **Does the proposed vacation substantially affect the County General Plan or the Transportation Plan of the County;** The proposed vacation does not affect the County's General Plan or Transportation Plan.
 3. **Is the proposed vacation in compliance with all Box Elder County Land Use and Development Code requirements, State, Federal or other local regulations;** The proposed vacation is in compliance with all requirements and regulations.
 4. **Will the proposed road vacation financially harm any landowner or stakeholder who may have an interest in the road;** The Public Hearing process is in place to help bring any evidence of harm to light.
 5. **The County shall not vacate any other private interest within the right-of-way;** No other interests within the right-of-way are to be vacated.
 6. **When considering the vacation of a deeded road as opposed to a right-of-use road, the provisions of the surplus property disposal policy shall be used;** The proposed road is a right of use road and does not need to conform to the surplus property disposal policy.
 7. **The petitioner will provide descriptions in a deeded right-of-way for all abutting owners who may receive any ownership of the vacated road.** The petitioner has supplied the description, and the applicant is the only owner who abuts the road to be vacated.

Staff stated based on the analysis of the petition to vacate the alleyway, staff recommends approval.

MOTION: A Motion was made by **Commissioner Mellonee Wilding** to forward a recommendation of approval to the County Commission, application number VAC19-001, a road vacation in the Riverside area of Unincorporated Box Elder County, and adopting the conditions and findings of staff. The motion was seconded by **Commissioner Jared Holmgren** and unanimously carried.

WORKING REPORTS - NONE

PUBLIC COMMENTS - NONE

ADJOURN

MOTION: A Motion was made by **Commissioner Mellonee Wilding** to adjourn commission meeting. The motion was seconded by **Commissioner Desiray Larsen** and meeting adjourned at 7:26 p.m.

Laurie Munns, Chairman
Box Elder County Planning Commission